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Statement delivered to the Fourth Committee of

the United States General Assembly

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Mr. Chairman, distinguished delegates:

It is a privilege for me to appear before this committee. I commend the committee for all its work in the field of decolonization. I come here today to speak as a citizen critic of my government's policy toward the decolonization process in East Timor.

My organization is a political organization. It supported President Carter when he ran for office in 1976. We have been particularly proud and supportive of the changes the new administration made with respect to the remaining colonial problems in southern Africa: Rhodesia and Namibia. But in Asia, my government has aided and abetted the brutal occupation and recolonization of East Timor by Indonesia. In my testimony I want to highlight six specific aspects of U.S. support of Indonesia.

First, I should state that my government was among the leading advocates of the adoption of Article 73 of the United Nations Charter at the San Fransisco Conference in 1945. It is appalling that the last two American administrations have so cavalierly ignored the fundamental human right of self-determination in the case of East Timor. At the same time, I would like to express the hope that my government and other United Nations members, including the industrial democracies, will realize that it is not too late for this basic right to be granted to the people of East Timor.

1. Indonesia launched its full-fledged invasion of East Timor on December 7, 1975. The invasion took place just twelve hours after President Gerald Ford and Secretary of State Henry Kissinger left Jakarta. While we do not know that they specifically condoned the invasion, it is quite clear that they made no efforts to stop it. At the time of the invasion roughly 90 percent of Indonesian weaponry was U.S. origin.

2. From December 1975-December 1976 there occurred a most curious incident in the history of U.S.-Indonesian relations with respect to East Timor. It should be understood that none of this was revealed until March 1977. The American people and the U.S. Congress were informed at that time that during that six month 1975-1976 period the U.S. "administratively delayed the provision of additional security assistance to Indonesia although military equipment in the pipeline continued to be delivered (Deputy Assistant Secretary, Robert Oakley)." In point of law, all military aid should have been terminated since Indonesia's use of U.S. origin weapons outside its borders violated a 1958 agreement with Indonesia as well as U.S. law.

Subsequent to March 1977, we learned that the Indonesian government was never informed of the "suspension." Often we criticize our State Department for not using the leverage it posesses. In this case it claimed to have used leverage while not informing the leveragee.

But in February 1978, we learned that even that was a lie. In fact, at least four separate new orders for military equipment were processed during the so-called administrative suspension. These orders, worth $1,260,741, primarily involved spare parts and maintenance for the Rockwell OV-10 "Bronco."

3. In late 1976, the Indonesian military received and began to make use of 16 Rockwell OV-10 "Bronco" counterinsurgency aircraft. This plane, equipped with infrared detectors, bombs, rockets, napalm and machine guns, is specifically designed for close combat support against an enemy without an effective anti-aircraft capability. Indonesia has used this weapon in the most barbarous way: saturation bombing of FRETILIN held areas with the intent of killing the inhabitants and destroying their crops. In the last year we have seen the results as many tens of thousands of people have poured out of the mountains from areas where crops can no longer be grown.

4. In March 1977, the United States Congress held its first major hearing on East Timor. By that time there already were reports that 60,000 to 100,000 people had been killed in the wake of the Indonesian invasion. And whatever the actual number, there was substantial evidence of widespread barbarities carried out by the Indonesian armed forces. Despite all this, my government's State Department showed an extremely callous attitude toward the plight of the East Timorese and U.S. responsibility for it.

I quote from Mr. David Kenny, then Country Office for Indonesia, Department of State:

> Sir, I think the question you were referring to in general terms was... whether or not in view of the situation in Timor, particularly the fact that U.S. origin weapons were used there, whether we should be continuing aid to Indonesia. And the answer I gave... is that was the wrong question...
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> Based on the information we have, which is very conflicting and does not support the charges in general applied by Mr. Dunn (who also testified at this hearing), (the right question is) should we be allowing this situation in Timor to be affecting all of our policy goals in Southeast Asia.

Mr. Chairman, distinguished delegates:

In sum, Mr. Kenny and other members of the State Department said they had found sources, which to this day they have not named, that contradicted reports of serious human rights abused by the Indonesians. And therefore since the reports conflicted, the U.S. was neither under any compulsion to investigate seriously the situation in East Timor or to revise our aid relationship; it is important to note that this statement was made two months and three days after President Carter took office and has since pledged that respect for human rights is "the soul" of U.S. foreign policy.

The State Department has viewed the plight of the East Timorese people as an issue of such small importance that even as recently as January of this year, the State Department stated that it is impossible to "confirm or refute" most allegations of human rights violations in East Timor. As recently as July of 1978, it stated it had "no information to substantiate a pattern of atrocities by Indonesian troops."

Let me point out that if the State Department was as ignorant as it claimed and unable as it claimed to resolve the conflicting testimonies, it was by choice. Of the many types of military aid supplied by the United States one is called Military Assistance Program; it is military aid provided on a grant basis. The United States has given Indonesia roughly $80 million since 1974 in this category. One of the conditions of eligibility of this aid is that the recipient country must agree that

> it will, as the President may require, permit continuous observation and review by...representatives of the United States Government with regard to the use of such articles or related training or other defense services.

If the United States Government truly wanted to know how this aid was being used and its affect on the East Timorese, it could have sent a team to East Timor as early as December 1976 to engage in "continuous observation" of Indonesian military operations. To the degree that the United States State Department has been ignorant, it was a conscious deliberate decision.

5. After nearly two years of military stalemate, the Indonesians launched an offensive in September 1977. Evidence which I am sure you have heard from other testimony indicates that Indonesian tactics became increasingly brutal during this period with the Indonesian government systematically wiping out villages thought to be sympathetic to FRETILIN.

Despite this, Indonesia apparently was still making little progress and the war was exhausting their supplies. A Western diplomat in Jakarta was quoted in a November 25 Los Angeles Times article: "They are running out of military inventory. The operationsin Timor have pushed them to the wall." The Carter administration's response is revealed by the following chart:

FOREIGN MILITARY SALES AGREEMENTS
(in thousands of dollars)
Congressional Presentation Documents

	1978 (Dec.1976)	1979(Dec.1977)	1980(Dec.1978)
1976	3,101(actual)		
1977	25,000(estimated)	5,853 a	
1978	25,000(proposed)	125,000 e	112,078 a
1978		15,000 p	40,000 e
1979			30,000 p

The columns in the chart represent the figures for FMS agreements in the Congressional Presentation Documents (CPD) for the years 1978-1980. The rows are actual, estimated or proposed FMS agreements for that year. CPD's are issued during the year preceding the calendar year they are projecting, and basically represent the thinking of the administration in December of the year before the books are released. Hence the CPD for FY 1978 reflects administration policy as of December 1976. The FMS agreements projected in 1976 for FY 1977 are $25,000,000, with the same amount estimated for the following fiscal year. By December 1977 the Carter Administration had dramatically revised its estimates for FY 1978 from $25,000,000 to $125,000,000. By December 1978, $112,078,000 worth of sales had been approved.

In addition to the $112,078,000 in FMS sales to Indonesia in 1978, there were commercial sales. These included 15,000 M-16 rifles and ammunition costing more than $5 million. Also in 1978, Indonesia took delivery of 16 Bell 205 UH-1H helicopters from earlier sales.

6. Over the last two months, the Indonesian military finally has permitted international agencies to begin to provide humanitarian assistance to the people of East Timor and my government has contributed about $3 million. This, of course, is

a positive development, since many tens of thousands of Timorese have come out of the mountains to the coastal plains over the last year. The U.S. Agency for International Development estimates that 200,000 people are "seriously affected," with 25,000 of these people close to death.

But while dispensing aid, the United States is also beginning to join Indonesia in another big lie about why aid is necessary. I am sure you have heard in great detail the tactics of the Indonesian armed forces trying to starve FRETILIN in to submission by the burning and defoliation of crops and bombing attacks on food-producing areas.

That is not, however, the reason for the mass movement of people that we have begun to hear from U.S. officials in Washington, Rather the principal blame is being placed on the East Timorese themselves and secondarily the Portuguese. The argument is that 400 years of slash and burn agriculture have finally led to a situation where there is little arable land left in the mountain areas. This also will be the justification to support the Indonesian decision not to allow the people in camps to return to their mountain homes if and when they are restored to health which, in other words, is a policy of forced resettlement.

I think it is wise in this case to dismiss the arguments of the United States Government and rely instead on the report of James Dunn, Director of the Foreign Affairs Group of the Legislative Research Service of the Parliament of Australia. In an April 6, 1979 report, he points out that "in the last years of Portuguese rule food supplies were generally adequate in all parts of East Timor," save for temporary famine conditions that occurred from time to time in certain destricts. He also pointed out that the mountain areas had rich food producing valleys which had been subjected to Indonesian air attack. In sum, while there may be some natural basis for the present calamity, the major cause of the decline of food production in the mountain areas is Indonesian military operation using predominantly U.S. weaponry.

Mr. Chairman, distinguished delegates:

This concludes the portion of my testimony detailing U.S. efforts in aiding militarily and abetting diplomatically Indonesia's brutal occupation and recolonization of East Timor. I would also like to bring to your attention that in the process the Carter administration has violated

two laws dealing with human rights, passed by Congress and signed into law by President Carter in the last two years.

Public Law 95-118 enacted on October 3, 1977 states:

> The U.S. Executive Directors of the international financial institutions are to oppose any loan, any extension of financial assistance or any technical assistance to countries engaging in a consistent pattern of gross violations of internationally recognized human rights...unless such programs serve basic human needs.

However, from the time that law was adopted until December 1978, the United States failed to oppose 6 different loans to Indonesia in the area of mining, transportation, industry, and power generation, none of which by the U.S. Treasury Department's own definition are programs which meet basic human needs. The total worth of these programs was $139.2 million. It is important to note that in the same time period, the U.S. Executive Directors opposed similar projects to fourteen countries including Korea, Laos, the Phillipines and Vietnam.

Similarly, a law was enacted on September 26, 1978 making it a legal requirement for the administration to deny security assistance to any country whose government engages in a consistent pattern of gross violation of internationally recognized human rights, unless the Secretary of State shall find that extraordinary circumstances necessitate a continuation of security assistance for that country, and that, based on all the facts, it is in the national interest to provide such assistance. The intent of Congress was clear that extraordinary circumstances were those involving overriding national security interests, It has cited Indonesia's size, potential wealth and strategic and political position in Southeast Asia. It has also cited Indonesia's concern for possible infiltration by or confrontation over oil rich shelf areas with its communist neighbors. Notably, the Administration has not stated that it agrees with these concerns. In sum, by no stretch of the imagination do extraordinary circunstances exist warranting an exception being made to the finding that Indonesia is a gross violator of human rights and therefore its military aid from the United States should be terminated.

(such as might exist in the Middle East becuase of oil and South Korea because of a potential threat from North Korea. However, this Administration has always defended military aid to Indonesia on the basis of only moderately important foreign policy goals, certainly not the kind that would override human rights considerations.)

Mr. Chairman, distinguished delegates:

However, we know that in 1979 the United States in its government-to-government sale(FMS)of defense articles has already offered the Indonesians equipment and services worth $27,143,669. Notably these include bomb components, a rocket bomb carrier and 14 A-4's; the latter is a counter-insurgency aircraft that was particularly effective in Vietnam. In addition, there are pending applications for licenses for sales to Indonesia worth approximately $26 million. These include 2 C-130 transport planes as well as a whole panoply of riot control equipment and small arms.

But as you are probably aware it is the view of the United States government that the Indonesian human rights situation, even that in East Timor, is improving. They maintain this despite the fact that in the last six months there have been credible reports of frequent disappearances, the maintenance of 40 prisons for FRETILIN prisoners and political dissidents as well as reports of the summary execution of FRETILIN soldiers who surrender to the Indonesian forces, not to speak of the countless horrors which have occurred in East Timor in the last three years and ten months.

In summary, not only has the United States government been an active partner in the near genocidal practices of the Indonesian government in East Timor and acted to cover up the entire situation, but it has also violated its own laws in doing so.

Thank you, Mr. Chairman.